IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.4318 of 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr.N.V. Bandiwadekar for the Petitioner
Ms. M.P. Thakur, AGP for Respondent Nos. 1 and 2.

CORAM : F.I.REBELLO & MRS.R.S.DALVI,JJ.
DATED : NOVEMBER 28,2005
P.C.

. From the facts it is seen that from the year 1998 the petitioner proceeded on long leave on medical ground. She was sanctioned medical leave for two years on 28th July, 1998 but on 29th August, 1998 the petitioner sought to join the school. On 30th November, 1998 she was declared surplus teacher in the school and was directed to be absorbed in another school. It was her case that she was unable to join in the new school on medical grounds. On 18th December, 2000 the petitioner sought voluntary retirement. Thereafter on 1st July, 2002 she submitted her resignation which was accepted on 5th September, 2002.

2. The petitioner has now made a

representation that she be relieved from the provisions of Rule 46 of the M.C.S.(Pension) Rules 1982.

3. At the highest all that we can say is that it is for the respondents to consider the representation of the petitioner of October, 2004 and dispose of the same at any rate not later than sixteen weeks from today.

. With the above observations, petition stands disposed of.

(**F.I. REBELLO, J.**)

(**MRS.R.S. DALVI, J.**)